

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

FILED  
IN CLERK'S OFFICE  
U.S. DISTRICT COURT E.D.N.Y.  
★ OCT 26 2009 ★

-----X  
EXPERIENCE HENDRIX, L.L.C.,

BROOKLYN OFFICE  
09 CIV

Plaintiff,  
-against-

ATAIR AEROSPACE, INC. AND PAUL G.  
CASNER JR.,

Defendants.

COMPLAINT

COGAN, J.

-----X  
Plaintiff, Experience Hendrix, L.L.C. by its attorneys, Shukat Arrow Hafer  
Weber & Herbsman, LLP, alleges for its complaint, upon knowledge and belief as to  
their own acts and upon information and belief as to the acts of all others, as follows:

**THE PARTIES, JURISDICTION AND VENUE**

1. Plaintiff Experience Hendrix, L.L.C. ("Experience") is a limited liability company established under the laws of the State of Washington. Plaintiff is the assignee of and sole owner of the rights owned by Jimi Hendrix. It is the proprietor of the intellectual property rights relating to a vast catalog of musical compositions created by the late Jimi Hendrix.

2. On information and belief, Defendant Atair Aerospace, Inc. is a corporation formed in accordance with the laws of the State of Delaware and with

its principal place of business at 499 Van Brunt Street, Suite 3B, Brooklyn, NY 11231.

3. On information and belief, Defendant Paul G. Casner Jr. is the President and Chief Executive Officer of Atair Aerospace, Inc., has a principal place of business at 499 Van Brunt Street, Suite 3B, Brooklyn, NY 11231 and controls the activities of the corporate defendant and profits from such activities.

4. This Court has jurisdiction over the subject matter of this action pursuant to 28 U.S.C. § 1332(a).

5. Venue is proper in the Eastern District of New York pursuant to 28 U.S.C. § 1391(a).

### **BACKGROUND FACTS**

#### **A. The Legacy of Jimi Hendrix**

6. Widely recognized as one of the most creative and influential musicians of the 20th century, Jimi Hendrix pioneered the explosive possibilities of the electric guitar. Hendrix's innovative style created a new musical form. *Are You Experienced*, has remained one of the most popular rock albums of all time, featuring tracks like "Purple Haze," "The Wind Cries Mary," "Foxy Lady," "Fire," and "Are You Experienced?" In 1968, Hendrix recorded one of his seminal works, "Voodoo Child (Slight Return)" and his performance of the song in 1969 in Woodstock was one of the most memorable songs performed. Jimi Hendrix's meteoric rise in the music industry took place in just four short years, prior to his tragic death at the age of 27.

7. Jimi Hendrix generated an astounding collection of musical compositions and recordings over the course of his short career. His music embraced the influences of blues, ballads, rock, R&B, and jazz and his legacy continues to influence a host of modern musicians. With the release of Guitar Hero, Hendrix continues to find new audiences and remains one of the most popular and influential figures in the history of rock music.

### STATEMENT OF CLAIM

8. This action is brought, and subject matter jurisdiction lies within this Court, pursuant to 28 U.S.C. Sections 1331 and 1338. This Court has federal question jurisdiction in this matter in that Plaintiff seeks damages and permanent injunctive relief against the defendants named herein under Sections 501 through 505 of the Copyright Act of 1976, 17 U.S.C. § 101 et seq. The Court has pendant jurisdiction over any claims asserted herein which arise under state law, including, without limitation, claims seeking imposition of a constructive trust and performance of an accounting, in that such claims flow from a common nucleus of operative facts.

9. Venue lies within this Court pursuant to 28 U.S.C. Sections 1391(b)(1)-(3), 1391(c), 1391(d), and 1400(a) in that all defendants reside in this venue and are subject to personal jurisdiction in this District, and that a substantial part of the events or omissions giving rise to Plaintiff's claims occurred in the Eastern District of New York. The corporate defendant, Atair Aerospace, among other things, has

its headquarters and carries out substantial, ongoing business activities in this District, and is subject to personal jurisdiction in the Eastern District of New York.

10. In or about 1968, Plaintiff created, composed, authored, and wrote the original musical composition entitled "Voodoo Child (Slight Return)", which consists wholly of original material and was and is copyrightable matter under the law of the United States. A claim of copyright in the musical composition "Voodoo Child (Slight Return)" was registered and recorded with the United States Copyright Office. True and correct copies of RE 735-885 and RE 736-563 are attached, respectively, hereto as Exhibit A and B.

11. Plaintiff recorded "Voodoo Child (Slight Return)." A claim of copyright in the sound recording, "Voodoo Child (Slight Return)" was registered and recorded in the United States Copyright office. A true and correct copy of SR 298-418 is annexed hereto as Exhibit C.

12. From the date of creation through the date of registration, Plaintiff has complied in all respects with the Copyright Act of 1976 and all other laws governing copyright with respect to the above-referenced copyright.

13. Plaintiff is the assignee of all rights in and to the registrations described hereinabove.

14. Defendant is a company based in Brooklyn, New York that is in the business of modernizing military, government, and corporate logistics by creatively solving complex aerospace and engineering problems that integrate state-of-the-art parachute designs and flight navigation systems.

15. Defendants never sought or obtained Plaintiffs' permission to copy, duplicate, perform, or otherwise use Plaintiffs' musical composition, Defendants never sought or obtained Plaintiff's permission to copy, duplicate, perform, or otherwise use Plaintiff's sound recording.

16. In or about June, 2008 Defendants, without the authorization or approval of Plaintiff, reproduced the musical composition and the master sound recording on their website to advertise and promote their business endeavors.

17. In or About June, 2008 Defendants manufactured and distributed videos containing unauthorized reproductions of the musical composition and sound recording for inclusion sales packages.

18. In or about June, 2008, without the authorization and approval of Plaintiff, manufactured and distribution videos which they distributed at trade shows.

19. Defendants' infringing acts were willful, deliberate, and committed with prior notice and knowledge of Plaintiffs copyright. At a minimum, Defendants acted in reckless disregard of Plaintiffs copyright.

20. In engaging in the acts complained of herein, Defendants, among other things, also failed to properly credit Plaintiff as the author, publisher, and/or copyright holder of "Voodoo Child (Slight Return)" and falsely implied that legal authorization was obtained from Plaintiff as copyright owner of "Voodoo Child (Slight Return)" for the use of his composition in the musical composition and sound recordings of "Voodoo Child (Slight Return)."

21. On information and belief, each and all of the Defendants earned and received valuable benefits and consideration from their copying and use of "Voodoo Child (Slight Return)" in the musical composition and sound recording of "Voodoo Child (Slight Return)" and in any other uses that may have been made thereof or authorized by Defendants.

**FIRST CLAIM FOR RELIEF  
(COPYRIGHT INFRINGEMENT)  
(BY PLAINTIFF AGAINST ALL DEFENDANTS)**

22. Plaintiffs incorporate by reference as if set forth in full herein the allegations of Paragraph 1 through 21 of this Complaint.

23. Plaintiff is, and at all material times hereto has been, the owner of the copyright in the musical composition "Voodoo Child (Slight Return)" and is entitled and authorized to protect his composition against copyright infringement, including the enforcement of copyright actions. Plaintiff secured the exclusive rights under 17 U.S.C. Section 106, among others, to "reproduce the copyrighted work in copies or phonorecords," "to prepare derivative works based upon the copyrighted work," and to "perform the copyrighted work publicly."

24. On information and belief, Defendants infringed Plaintiff's Copyright composition "Voodoo Child (Slight Return)," including by copying, reproducing, preparing and distributing unauthorized copies of "Voodoo Child (Slight Return)" and causing the same to be publicly distributed at trade shows, on the internet, by digital download and otherwise, including, but not limited to, in the Eastern District of New York.

25. Plaintiff did not authorize Defendants to copy, reproduce, perform, or use the composition or sound recording. Defendants did not seek or obtain any permission, consent, or license from Plaintiff for the copying, reproduction, performance, or use of the composition "Voodoo Child (Slight Return)" or sound recording.

26. Defendants' infringing acts alleged herein were willful, deliberate, and committed with prior notice and knowledge of Plaintiffs copyright. At a minimum, Defendants acted in reckless disregard of Plaintiff s copyright.

27. As a result of their actions, Defendants are liable to Plaintiff for willful copyright infringement under 17 U.S.C. Section 501. Plaintiff suffered, and will continue to suffer, losses in an amount not yet ascertained, but which will be determined according to proof. In addition to Plaintiffs actual damages, Plaintiff is entitled to receive the profits made by Defendants from their wrongful acts, pursuant to 17 U.S.C. Section 504. In the alternative, Plaintiff is entitled to statutory damages, pursuant to 17 U.S.C. Section 504(c), which should be enhanced by 17 U.S.C. Section 504(c)(2) because of Defendants' willful copyright infringement.

28. Plaintiffs also are entitled to recover their attorneys' fees and costs of suit under 17 U.S.C. Section 505.

**SECOND CLAIM FOR RELIEF  
(CONSTRUCTIVE TRUST)  
(BY PLAINTIFF AGAINST ALL DEFENDANTS)**

29. Plaintiff incorporates by reference as if set forth in full herein the allegations of Paragraph 1 through 28 of this Complaint.

30. By virtue of their wrongful conduct, Defendants illegally received money and profits that rightfully belonged to Plaintiff.

31. Defendants are therefore involuntary trustees, holding the gross receipts from their product sales and revenues to the extent attributable to "Voodoo Child (Slight Return)" and therefore attributable to the infringement of Plaintiff's copyright therein. Defendants hold such moneys and funds on behalf of and subject to a first and prior lien against all others and in favor of Plaintiff. On information and belief, Defendants hold this illegally received money and profits in the form of bank account, real property, and personal property that can be located and traced.

32. Plaintiff is entitled to the remedy of a constructive trust in view of Defendants' wrongful infringement of Plaintiff's copyright in "Voodoo Child (Slight Return)."



**THIRD CLAIM FOR RELIEF  
(FOR AN ACCOUNTING)  
(BY PLAINTIFF AGAINST ALL DEFENDANTS)**

33. Plaintiff incorporates by reference as if set forth in full herein the allegations of Paragraph 1 through 33 of this Complaint.

34. Under 17 U.S.C. Section 504, Plaintiff may recover any and all profits of Defendants that are attributable to their acts of infringement.

35. A balance is due from Defendants, and each of them, to Plaintiff for misappropriation of profits and gross receipts arising from or attributable to Defendants' copying, reproduction, performance, and use of Plaintiffs composition "Voodoo Child (Slight Return)" in the composition and sound recording of "Voodoo Child (Slight Return)" and consequent violation and infringement of Plaintiffs copyright in "Voodoo Child (Slight Return)."

36. The exact amount of money due from Defendants is unknown to Plaintiff and can only be ascertained through an accounting. Plaintiff seeks an order from this Court directing Defendants to provide Plaintiff with an accounting and payment of the amount due as a result of the accounting, plus interest.

WHEREFORE, Plaintiff respectfully requests judgment against Defendants, and each of them, jointly and severally, as follows:

1. That the Court enter judgment against Defendants, and each of them, that Defendants have:

- a. infringed Plaintiffs rights in the copyright in the composition "Voodoo Child (Slight Return)" under 17 U.S.C. Section 501, and that the infringement by Defendants, and each of them, was willful; and
- b. Infringed Plaintiff's right in the Copyright of the sound recording under 17 U.S.C. Section 501, and that the infringement by Defendants, and each of them, was willful.

2. For the damages suffered by Plaintiff as a result of the infringement complained of herein, as well as disgorgement of any profits of Defendants attributable to their infringement, including the value of all gains, profits, advantages, benefits, and consideration derived by Defendants from and as a result of their infringement of Plaintiffs copyright in "Voodoo Child (Slight Return)," including in connection with the composition and sound recording of "Voodoo Child (Slight Return);"

3. In the alternative, if Plaintiffs so elect, in lieu of recovery of their actual damages and Defendants' profits, for a 17 U.S.C. Section 504(c) award of statutory damages against Defendants, or any of them, for all copyright infringements (willful or otherwise) involved in this action as to each work in question, including, but not limited to, the amount of \$150,000 for the infringing use on the internet; \$150,000 for each trade show usage; \$150,000 for manufacture and distribution of the video for the musical composition; and \$150,000 for manufacture and distribution of the musical composition for the sound recording.

4. That Defendants, and each of them, and each of their respective officers, agents, and employees, and all persons acting in concert with them, be enjoined permanently thereafter, from infringing the copyright in "Voodoo Child (Slight Return)" in any manner and from distributing, selling, advertising, broadcasting, publishing or communicating, in the United States or elsewhere, any visual or sound recordings (including those identified in this Complaint);

5. That the Court enters an order pursuant to 15 U.S.C. Sections 503 and 509 mandating the impounding of all infringing copies of "Voodoo Child (Slight Return)" and any other materials prepared by Defendants containing any copies of the musical compositions "Voodoo Child (Slight Return)" or any portions thereof;

6. That the Court declares, adjudges, and decrees that Defendants, and each of them, have been and are involuntary and constructive trustees, holding the gross receipts from the aforesaid production, broadcast, distribution, sale, or other exploitation of "Voodoo Child (Slight Return)," or Defendants' misuse of the protectable interests of Plaintiff in "Voodoo Child (Slight Return)," and that Defendants, and each of them, hold all such monies and funds on behalf of and subject to a first and prior lien against all others and in favor of Plaintiff;

7. That Defendants, and each of them, be required to account for and pay over to Plaintiff all gains and profits derived by Defendants, and each of them, from or attributable to production, broadcasting, licensing, distribution, sale, or other exploitation of "Voodoo Child (Slight Return)," or any other uses of all or part of "Voodoo Child (Slight Return)" made or authorized by Defendants, or any of them,

in any format, media, or market, in connection with the composition and all sound recording of "Voodoo Child (Slight Return);"

8. For reasonable attorney fees and costs of suit incurred herein; and
9. For such other and further relief in favor of Plaintiff as the Court deems just and proper.

Dated: New York, New York  
October 22, 2009

SHUKAT ARROW HAFFER WEBER  
& HERBSMAN, LLP

By: 

Dorothy M. Weber (DW 4734)  
111 West 57th Street  
Suite 1120  
New York, New York 10019  
212-245-4580

*Attorneys for Plaintiff,  
Experience Hendrix, L.L.C.*

A

## **Exhibit A**

# CERTIFICATE OF REGISTRATION

Case 1:09-cv-04887-BMC Document 1 Filed 10/26/09 Page 14 of 21

**FOR FURTHER INFORMATION**

UNITED STATES COPYRIGHT OFFICE



OFFICIAL SEAL

This Certificate issued under the seal of the Copyright Office in accordance with title 17, United States Code, attests that registration has been made for the work identified below. The information on this certificate has been made a part of the Copyright Office records.

RE 735-885



#P11000735885

EFFECTIVE DATE OF RENEWAL REGISTRATION

*Marybeth Peters*

SEP 17 196

Month Day Year

REGISTER OF COPYRIGHTS

United States of America

DO NOT WRITE ABOVE THIS LINE. IF YOU NEED MORE SPACE, USE A SEPARATE CONTINUATION SHEET (RE/CON).

## RENEWAL CLAIMANT(S), ADDRESS(ES), AND STATEMENT OF CLAIM ▼ (See Instructions)

1	Name James A. Hendrix
	Address 11832 64th Avenue South, Seattle, Washington 98178
	Claiming as The next of kin of the deceased author, Jimi Hendrix, there being no will. (Use appropriate statement from instructions)
2	Name Address Claiming as
3	Name Address Claiming as

## TITLE OF WORK IN WHICH RENEWAL IS CLAIMED ▼

"Voodoo Child" (Slight Return)

## RENEWABLE MATTER ▼

Words and Music

**PUBLICATION AS A CONTRIBUTION** If this work was published as a contribution to a periodical, serial, or other composite work, give information about the collective work in which the contribution appeared. Title of Collective Work ▼

If published in a periodical or serial give: Volume ▼ Number ▼ Issue Date ▼

## AUTHOR(S) OF RENEWABLE MATTER ▼

James Marshall ("Jimi") Hendrix

## ORIGINAL REGISTRATION NUMBER ▼ ORIGINAL COPYRIGHT CLAIMANT ▼

EP 252369

Bella Godiva Music, Inc.

## ORIGINAL DATE OF COPYRIGHT

If the original registration for this work was made in published form, give:

DATE OF PUBLICATION: 10 22 68  
(Month) (Day) (Year)

OR If the original registration for this work was made in unpublished form, give:

DATE OF REGISTRATION: (Month) (Day) (Year)

## MORE ON BACK ►

- Complete all applicable spaces (numbers 5-8) on the reverse side of this page.
- See detailed instructions.
- Sign the form at space 7.

DO NOT WRITE HERE

Page 1 of pages

NOV 25 REC'D

SEP 17 1996

CORRESPONDENCE (YES)

EXAMINED BY

CHECKED BY

FOR  
COPYRIGHT  
OFFICE  
USE  
ONLY

DO NOT WRITE ABOVE THIS LINE. IF YOU NEED MORE SPACE, USE A SEPARATE CONTINUATION SHEET (RE-CON).

RENEWAL FOR GROUP OF WORKS BY SAME AUTHOR: To make a single registration for a group of works by the same individual author published as contributions to periodicals (see instructions), give full information about each contribution. If more space is needed, request continuation sheet (Form RE-CON).

Title of Contribution:

1 Title of Periodical: Vol: No: Issue Date:

Date of Publication: Registration Number:  
(Month) (Day) (Year)

Title of Contribution:

2 Title of Periodical: Vol: No: Issue Date:

Date of Publication: Registration Number:  
(Month) (Day) (Year)

Title of Contribution:

3 Title of Periodical: Vol: No: Issue Date:

Date of Publication: Registration Number:  
(Month) (Day) (Year)

Title of Contribution:

Title of Periodical: Vol: No: Issue Date:

Date of Publication: Registration Number:  
(Month) (Day) (Year)

DEPOSIT ACCOUNT: If the registration fee is to be charged to a Deposit account established in the Copyright Office, give name and number of Account.

me

Account Number

CORRESPONDENCE: Give name and address to which correspondence about this application should be sent.

Name Experience Hendrix, L.L.C.  
Address 83 - King Street Suite 606  
Seattle, Washington 98104  
(City) (State) (ZIP)  
Area Code and Telephone Number (206) 223-5464Be sure to  
give your  
daytime phone  
numberCERTIFICATION\* I, the undersigned, hereby certify that I am the: (Check one)  
☒ renewal claimant ☐ duly authorized agent of

(Name of renewal claimant) A

the work identified in this application and that the statements made by me in this application are correct to the best of my knowledge.

Signed or printed name James A. Hendrix

Date 9/12/96

Handwritten signature (X)

James A. Hendrix

MAIL  
CERTIFICATE TO  
Name Experience Hendrix, L.L.C.  
Attention: Rebecca WilcotsCertificate  
will bein  
envelope

Number/Street/Apt

City/State/ZIP

83 - King Street Suite 606  
Seattle, Washington 98104

## YOU MUST:

- Complete all necessary spaces.
- Sign your application in space 7.

SEND ALL ELEMENTS  
IN THE SAME PACKAGE:

1. Application form
2. Nonrefundable \$20 filing fee in check or money order payable to Register of Copyrights

## MAIL TO:

Register of Copyrights  
Library of Congress  
Washington, D.C. 20559

The Copyright Office has the authority to act just fees at 5 year intervals, based on changes in the Consumer Price Index. The next adjustment is due in 1996. Please contact the Copyright Office after July 1996 to determine the actual fee schedule.

U.S.C. § 506(e): Any person who knowingly makes a false representation of a material fact in the application for copyright registration provided for by section 409, or in any written statement filed in connection with the application, shall be fined not more than \$2,500.

© 1993-40,000

U.S. GOVERNMENT PRINTING OFFICE: 1993-347-581-60-511

B

## **Exhibit B**



## CERTIFICATE OF REGISTRATION

RECEIVED  
For Renewal of a Work  
UNITED STATES COPYRIGHT OFFICE



This Certificate issued under the seal of the Copyright Office in accordance with title 17, United States Code, attests that registration has been made for the work identified below. The information on this certificate has been made a part of the Copyright Office records.

RE 736-563



EFFECTIVE DATE OF RENEWAL REGISTRATION

*Marybeth Peters*

DEC 17 1996

Month Day Year

DO NOT WRITE ABOVE THIS LINE. IF YOU NEED MORE SPACE, USE A SEPARATE CONTINUATION SHEET (RE/CON).

RENEWAL CLAIMANT(S), ADDRESS(ES), AND STATEMENT OF CLAIM (See Instructions)

1	Name <b>James A. Hendrix</b>
	Address <b>11832 64th Avenue South, Seattle, Washington 98178</b>
	Claiming as <b>The next of kin of the deceased author, Jimi Hendrix, there being no will.</b> (Use appropriate statement from instructions)
2	Name Address Claiming as
3	Name Address Claiming as

TITLE OF WORK IN WHICH RENEWAL IS CLAIMED

"Voodoo Child" (Slight Return)

RENEWABLE MATTER

Words and Music

PUBLICATION AS A CONTRIBUTION If this work was published as a contribution to a periodical, serial, or other composite work, give information about the collective work in which the contribution appeared. Title of Collective Work

If published in a periodical or serial give: Volume Number Issue Date

AUTHOR(S) OF RENEWABLE MATTER

James Marshall ("Jimi") Hendrix

ORIGINAL REGISTRATION NUMBER ORIGINAL COPYRIGHT CLAIMANT

EU 75890

Bella Godiva Music, Inc.

ORIGINAL DATE OF COPYRIGHT

If the original registration for this work was made in published form, give:

DATE OF PUBLICATION:

(Month) (Day) (Year)

OR

If the original registration for this work was made in unpublished form, give:

DATE OF REGISTRATION:

(Month) (Day) (Year)

MORE ON BACK

• Complete all applicable spaces (numbers 5-8) on the reverse side of this page.  
• See detailed instructions.  
• Sign the form at space 7.

DO NOT WRITE HERE

Page 1 of pages

DEC 09 REC'D

081810958



081810958

3

4

RENEWAL APPLICATION RECEIVED

SEP 17 1996

FOR FEE

CORRESPONDENCE YES

EXAMINED BY *km*

CHECKED BY

FOR  
COPYRIGHT  
OFFICE  
USE  
ONLY

DO NOT WRITE ABOVE THIS LINE. IF YOU NEED MORE SPACE, USE A SEPARATE CONTINUATION SHEET (RE-CON).

RENEWAL FOR GROUP OF WORKS BY SAME AUTHOR: To make a single registration for a group of works by the same individual author published as contributions to periodicals (see instructions), give full information about each contribution. If more space is needed, request continuation sheet (Form RE-CON).

Title of Contribution:

1 Title of Periodical: Vol: No: Issue Date:

Date of Publication: (Month) (Day) (Year) Registration Number:

Title of Contribution:

2 Title of Periodical: Vol: No: Issue Date:

Date of Publication: (Month) (Day) (Year) Registration Number:

Title of Contribution:

3 Title of Periodical: Vol: No: Issue Date:

Date of Publication: (Month) (Day) (Year) Registration Number:

Title of Contribution:

4 Title of Periodical: Vol: No: Issue Date:

Date of Publication: (Month) (Day) (Year) Registration Number:

DEPOSIT ACCOUNT: If the registration fee is to be charged to a Deposit Account established in the Copyright Office, give name and number of Account.

Name

Account Number

CORRESPONDENCE: Give name and address to which correspondence about this application should be sent.

Name Experience Hendrix, L.L.C.  
Address 83 - King Street Suite 606  
Seattle, Washington 98104  
(City) (State) (Zip)  
Area Code and Telephone Number (206) 223-5464

(Be sure to give your daytime phone number)

CERTIFICATION\* I, the undersigned, hereby certify that I am the: (Check one)  
☒ renewal claimant ☐ duly authorized agent of(Name of renewal claimant) *James A. Hendrix*  
of the work identified in this application and that the statements made by me in this application are correct to the best of my knowledge.Typed or printed name *James A. Hendrix*Date *9/12/96*Handwritten signature (X) *James A. Hendrix*MAIL  
CERTIFI-  
CATE TOCertificate  
will be  
mailed in  
wr  
envelope

Name *Experience Hendrix, L.L.C.*  
Attention: *Rebecca Wilcots*  
Number/Street/Apt *83 - King Street Suite 606*  
City/State/ZIP *Seattle, Washington 98104*

YOU MUST:  
• Complete all necessary spaces.  
• Sign your application in space 7.  
SEND ALL ELEMENTS  
IN THE SAME PACKAGE:

1. Application form  
2. Non-refundable \$20 filing fee  
in check or money order  
payable to  
Register of Copyrights

MAIL TO:  
Register of Copyrights  
Library of Congress  
Washington, D.C. 20559

The Copyright Office  
has the authority to ad-  
just fees at 5 year inter-  
vals, based on changes  
in the Consumer Price  
Index. The next adjust-  
ment is due in 1998.  
Please contact the  
Copyright Office after  
July 1995 to determine  
the actual fee schedule.

\*17 U.S.C. § 506(e): Any person who knowingly makes a false representation of a material fact in the application for copyright registration provided for by section 409, or in any written statement filed in connection with the application, shall be fined not more than \$2,500.

April 1993—40,000

U.S. GOVERNMENT PRINTING OFFICE: 1993-342-501/60-513

C

## **Exhibit C**

## CERTIFICATE OF REGISTRATION



OFFICIAL SEAL

This Certificate issued under the seal of the Copyright Office in accordance with title 17, United States Code, attests that registration has been made for the work identified below. The information on this certificate has been made a part of the Copyright Office records.

*Marybeth Peters*  
 REGISTER OF COPYRIGHTS  
 United States of America

FORM SR

For a Sound Recording  
UNITED STATES COPYRIGHT OFFICE

REGISTRATION NUMBER

SR 298-418



EFFECTIVE DATE OF REGISTRATION

6 . 4 . 01  
 Month Day Year

DO NOT WRITE ABOVE THIS LINE. IF YOU NEED MORE SPACE, USE A SEPARATE CONTINUATION SHEET.

1

TITLE OF THIS WORK ▼

TITLE: VODOO CHILD: THE JIMI HENDRIX COLLECTION

ARTIST: JIMI HENDRIX

088 112 603-2

PREVIOUS, ALTERNATIVE, OR CONTENTS TITLES (CIRCLE ONE) ▼

2

a

NAME OF AUTHOR ▼

EXPERIENCE HENDRIX, L.L.C.

DATES OF BIRTH AND DEATH

Year Born ▼

Year Died ▼

Was this contribution to the work a  
"work made for hire"?☒ Yes☐ No

AUTHOR'S NATIONALITY OR DOMICILE

Name of Country

OR { Citizen of ▼  
Domiciled in ▼WAS THIS AUTHOR'S CONTRIBUTION TO  
THE WORKAnonymous? ☐ Yes ☒ NoPseudonymous? ☐ Yes ☒ NoIf the answer to either  
of these questions is  
"Yes," see detailed  
instructions.

NATURE OF AUTHORSHIP Briefly describe nature of material created by this author in which copyright is claimed. ▼

## NOTE

Under the law,  
the "author" of  
a "work made  
for hire" is

either the  
employer, not  
the employee  
(see instructions). For any  
part of this  
work that was  
"made for  
hire," check  
"Yes" in the  
space  
provided, give  
the employer  
(or other  
person for  
whom the work  
was prepared)  
as "Author" of  
that part, and  
leave the  
space for dates  
of birth and  
death blank.

b

NAME OF AUTHOR ▼

DATES OF BIRTH AND DEATH

Year Born ▼

Year Died ▼

Was this contribution to the work a  
"work made for hire"?☐ Yes☐ No

AUTHOR'S NATIONALITY OR DOMICILE

Name of Country

OR { Citizen of ▼  
Domiciled in ▼WAS THIS AUTHOR'S CONTRIBUTION TO  
THE WORKAnonymous? ☐ Yes ☐ NoPseudonymous? ☐ Yes ☐ NoIf the answer to either  
of these questions is  
"Yes," see detailed  
instructions.

NATURE OF AUTHORSHIP Briefly describe nature of material created by this author in which copyright is claimed. ▼

c

NAME OF AUTHOR ▼

DATES OF BIRTH AND DEATH

Year Born ▼

Year Died ▼

Was this contribution to the work a  
"work made for hire"?☐ Yes☐ No

AUTHOR'S NATIONALITY OR DOMICILE

Name of Country

OR { Citizen of ▼  
Domiciled in ▼WAS THIS AUTHOR'S CONTRIBUTION TO  
THE WORKAnonymous? ☐ Yes ☐ NoPseudonymous? ☐ Yes ☐ NoIf the answer to either  
of these questions is  
"Yes," see detailed  
instructions.

NATURE OF AUTHORSHIP Briefly describe nature of material created by this author in which copyright is claimed. ▼

3

a

YEAR IN WHICH CREATION OF THIS  
WORK WAS COMPLETED

2001

This information  
must be given  
in all cases.

b

DATE AND NATION OF FIRST PUBLICATION OF THIS PARTICULAR WORK

Complete this information  
ONLY if this work  
has been published.

Month ▶

05

Day ▶

08

Year ▶

01

U.S.A.

Nation

4

a

COPYRIGHT CLAIMANT(S) Name and address must be given even if the claimant is the same as  
the author given in space 2: ▼

EXPERIENCE HENDRIX, L.L.C.  
 100 UNIVERSAL CITY PLAZA  
 UNIVERSAL CITY, CA 91608

TRANSFER If the claimant(s) named here in space 4 is (are) different from the author(s) named in  
space 2, give a brief statement of how the claimant(s) obtained ownership of the copyright. ▼

b

APPLICATION RECEIVED

JUN 04 2001

ONE DEPOSIT RECEIVED

TWO DEPOSITS RECEIVED

JUN 04 2001

FUNDS RECEIVED

DO NOT WRITE HERE  
OFFICE USE ONLY

MORE ON BACK ▶

• Complete all applicable spaces (numbers 5-9) on the reverse side of this page.  
 • See detailed instructions.

• Sign the form at line 8.

DO NOT WRITE HERE

Page 1 of \_\_\_\_\_ pages

EXAMINED BY

FORM SR

CHECKED BY

CORRESPONDENCE

☐ YesFOR  
COPYRIGHT  
OFFICE  
ONLY

DO NOT WRITE ABOVE THIS LINE. IF YOU NEED MORE SPACE, USE A SEPARATE CONTINUATION SHEET.

PREVIOUS REGISTRATION Has registration for this work, or for an earlier version of this work, already been made in the Copyright Office?

☐ Yes ☒ No If your answer is "Yes," why is another registration being sought? (Check appropriate box) ▼a. ☐ This work was previously registered in unpublished form and now has been published for the first time.b. ☐ This is the first application submitted by this author as copyright claimant.c. ☐ This is a changed version of the work, as shown by space 6 on this application.

If your answer is "Yes," give: Previous Registration Number ▼

Year of Registration ▼

## DERIVATIVE WORK OR COMPILATION

Preexisting Material Identify any preexisting work or works that this work is based on or incorporates. ▼

a ALL SOUND RECORDINGS &amp; PICTORIAL MATTER

Material Added to This Work Give a brief, general statement of the material that has been added to this work and in which copyright is claimed. ▼

b COMPILATION OF SOUND RECORDINGS &amp; OF PICTORIAL MATTER/LINER NOTES

DEPOSIT ACCOUNT If the registration fee is to be charged to a Deposit Account established in the Copyright Office, give name and number of Account.

Name ▼

Account Number ▼

a

UNIVERSAL MUSIC GROUP

DA024562

CORRESPONDENCE Give name and address to which correspondence about this application should be sent. Name/Address/Apt./City/State/ZIP ▼

b

UNIVERSAL MUSIC GROUP/COPYRIGHT ADMINISTRATION

100 UNIVERSAL CITY PLAZA

UNIVERSAL CITY, CA 91608

Area code and daytime telephone number ▶ (818) 777-4040

Fax number ▶ (818) 866-1604

Email ▶

CERTIFICATION\* I, the undersigned, hereby certify that I am the

Check only one ▼

☐ author☐ owner of exclusive right(s)☐ other copyright claimant☒ authorized agent of

MCA RECORDS, A DIVISION OF UMG RECORDINGS, INC.

Name of author or other copyright claimant, or owner of exclusive right(s) ▲

of the work identified in this application and that the statements made by me in this application are correct to the best of my knowledge.

Typed or printed name and date ▼ If this application gives a date of publication in space 3, do not sign and submit it before that date.

PATRICIA BLAIR

Date▶ 5/11/01



Handwritten signature (x) ▼

X

Certificate  
will be  
mailed in  
window  
envelope  
to this  
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Name ▼	UNIVERSAL MUSIC GROUP COPYRIGHT ADMINISTRATION
Number/Street/Apt ▼	100 UNIVERSAL CITY PLAZA BUILDING 1320W-4
City/State/ZIP ▼	UNIVERSAL CITY, CA 91608

## YOU MUST

- Complete all necessary spaces
- Sign your application in space 8

SEND ALL ELEMENTS  
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1. Application form
2. Nonrefundable filing fee in check or money order payable to Register of Copyrights
3. Deposit material

## MAIL TO

Library of Congress  
Copyright Office  
101 Independence Avenue, S.E.  
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July 1, 1999,  
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is \$30

\*1) U.S.C. § 506(a): Any person who knowingly makes a false representation of a material fact in the application for copyright registration provided for by section 405, or in any written statement filed in connection with the application, shall be fined not more than \$2,500.

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